

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20022 of 2016

Arising Out of PS.Case No. -181 Year- 2014 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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Sakir Mian @ Manbodh @ Sakir Hussain Son of Zalim Mian Resident of
Village Telpur, PS Lauriya, District West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murlidhar , APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 22-06-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner wants to renew his prayer for bail which was earlier rejected by order dated 14.10.2015 passed in Criminal Miscellaneous No. 27145 of 2015 on the ground that the petitioner is suffering in custody since 18.12.2014, there is a case and counter case, the allegation against the petitioner is for giving single *lathi* blow on the head of the deceased, the petitioner has also sustained injuries which have been found dangerous to life and on the statement of the petitioner Lauriya P.S. Case No. 188 of 2014 has been registered, the trial has not been concluded within the time given in the order and from the report, it reveals that only two witnesses have been examined

out of fifteen witnesses.

The learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that in near future, the trial is not likely to be concluded, there is no chance of tampering with prosecution evidence, the petitioner has also sustained injuries which have been found dangerous to life and, as such, now the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, West Champaran at Bettiah in connection with Sessions Trial No. 530 of 2015 arising out of Lauriya P.S. Case No. 181 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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